

105TH CONGRESS
2D SESSION

H. R. 4457

To amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1998

Mrs. LOWEY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPEAL OF 7-YEAR RESTRICTION ON ELIGI-**
4 **BILITY FOR WIDOW'S AND WIDOWER'S INSUR-**
5 **ANCE BENEFITS BASED ON DISABILITY.**

6 (a) WIDOW'S INSURANCE BENEFITS.—

7 (1) IN GENERAL.—Section 202(e) of the Social
8 Security Act (42 U.S.C. 402(e)) is amended—

1 (A) in paragraph (1)(B)(ii), by striking
2 “which began before the end of the period spec-
3 ified in paragraph (4)”;

4 (B) in paragraph (1)(F)(ii), by striking
5 “(I) in the period specified in paragraph (4)
6 and (II)”;

7 (C) by striking paragraph (4) and by re-
8 designating paragraphs (5) through (9) as
9 paragraphs (4) through (8), respectively; and

10 (D) in paragraph (4)(A)(ii) (as redesign-
11 ated), by striking “whichever” and all that fol-
12 lows through “begins” and inserting “the first
13 day of the seventeenth month before the month
14 in which her application is filed”.

15 (2) CONFORMING AMENDMENTS.—

16 (A) Section 202(e)(1)(F)(i) of such Act
17 (42 U.S.C. 402(e)(1)(F)(i)) is amended by
18 striking “paragraph (5)” and inserting “para-
19 graph (4)”.

20 (B) Section 202(e)(1)(C)(ii)(III) of such
21 Act (42 U.S.C. 402(e)(2)(C)(ii)(III)) is amend-
22 ed by striking “paragraph (8)” and inserting
23 “paragraph (7)”.

24 (C) Section 202(e)(2)(A) of such Act (42
25 U.S.C. 402(e)(2)(A)) is amended by striking

1 “paragraph (7)” and inserting “paragraph
2 (6)”.

3 (D) Section 226(e)(1)(A)(i) of such Act
4 (42 U.S.C. 426(e)(1)(A)(i)) is amended by
5 striking “202(e)(4),”.

6 (b) WIDOWER’S INSURANCE BENEFITS.—

7 (1) IN GENERAL.—Section 202(f) of such Act
8 (42 U.S.C. 402(f)) is amended—

9 (A) in paragraph (1)(B)(ii), by striking
10 “which began before the end of the period spec-
11 ified in paragraph (5)”;

12 (B) in paragraph (1)(F)(ii), by striking
13 “(I) in the period specified in paragraph (5)
14 and (II)”;

15 (C) by striking paragraph (5) and by re-
16 designating paragraphs (6) through (9) as
17 paragraphs (5) through (8), respectively; and

18 (D) in paragraph (5)(A)(ii) (as redesign-
19 ated), by striking “whichever” and all that fol-
20 lows through “begins” and inserting “the first
21 day of the seventeenth month before the month
22 in which his application is filed”.

23 (2) CONFORMING AMENDMENTS.—

24 (A) Section 202(f)(1)(F)(i) of such Act (42
25 U.S.C. 402(f)(1)(F)(i)) is amended by striking

1 “paragraph (6)” and inserting “paragraph
2 (5)”.

3 (B) Section 202(f)(1)(C)(ii)(III) of such
4 Act (42 U.S.C. 402(f)(2)(C)(ii)(III)) is amend-
5 ed by striking “paragraph (8)” and inserting
6 “paragraph (7)”.

7 (C) Section 226(e)(1)(A)(i) of such Act (as
8 amended by subsection (a)(2)) is further
9 amended by striking “202(f)(1)(B)(ii), and
10 202(f)(5)” and inserting “and
11 202(f)(1)(B)(ii)”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply with respect to benefits for months
14 after December 1998 for which applications are filed or
15 pending on or after January 1, 1999.

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